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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/574,019

Applicant(s)

ROGERS, SUSAN LOUISE

Examiner

ECE HUR

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 35-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 35-68 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This action is responsive to Response/Arguments filed on January 28, 2008. Claims 35, 46 and 60 have been amended. This application is a new PCT National Stage application of PCT/NZ04/00243 that was filed on October 6, 2004. Applicant is claiming foreign priority for the application (New Zealand) 528707 filed on October 6, 2003.

Status of Claims

Claims 35-68 are pending in the case. Claims 35 and 46 are independent Claims.

Claims 35-40, 46-58 and 64-68 are rejected under 35 U.S.C. 102(e).

Claims 41, 42-45 and 59-63 are rejected under 35 U.S.C. 103(a).

Response to Arguments

Applicant's arguments filed September 24, 2007 have been fully considered but they are not persuasive. Therefore, the rejection of Claims 1-11 under section 103(a) mailed on July 10, 2007 remains. Applicant argued:

1) Regarding Claims 46-62 and 68 rejection under 35 U.S.C. 101, applicant amended the Claims rejection, therefore the rejection is withdrawn.

2) Regarding Claims 35-40, 46-58 and 64-68 rejection, applicant argues that Su does not disclose detecting of wait event. Su discloses the claimed aspect of detecting of wait event, wherein the user is not using the computer or there is no user intervention the screen saver application 27 acquires control

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over the display device 30. (Su, Page 1, Paragraphs 0001, 0003, 0016).

Applicant should duly note when there is no user intervention that does not necessarily mean that the computer is not running any program at all.

Furthermore, Su is referring that screen saver application acquires control over display when the computer is not connected to the network and when there is not any user intervention. (Su, Page 1, Paragraph 0006).

Applicant is referring to idle as complete inactivity however, programs (subprocess) run during idle time.

Claim language only refers "to detect the occurrence of a wait", or as amended "or wait condition", it does not refer to whether there is a complete inactivity or idletime. More specifically, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "inactivity or idletime for certain period of time") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

3) Regarding Claim 35, applicant argues that Su does not disclose the information to be displayed is "preselected", however Su discloses the claimed aspect specifically wherein the content to be displayed changes when there is request to the server. Program 7 is capable of providing entertaining, factual or

advertising information. (Su, Page 2, Paragraphs, 0016, 0021). Additionally, in general when the user decide on a screen saver it is preselected by the user.

4) Regarding Claim 41, applicant argues that Su does not suggest teach selecting data file for use as teaching tool, however, Su discloses that screen saver application 27 is capable of providing entertaining, factual display. (Su, Page 2, Paragraph 0016).Applicant should duly note that factual information display is educational. In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

5) Regarding Claims 42-45 and 62, Su does not specifically teach that data is fed RSS. However, Su discloses obtaining information data in a form capable of being displayed on a monitor from obtained from a computer host server via a communications network and caching the information or data on a computer hard drive for presentation in a display window at a subsequent wait event in FIG. 4 and FIG.5, wherein one-on-one client/server relationship is described, and can be used to generate screen saver based information

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delivery to any number of users. Such a multi-user system is illustrated in FIG. 5. As illustrated in FIG. 5, a plurality of users, each having a corresponding client station 20-1, 20-2, 20-3, 20-4, can be connected to the server 40 through a corresponding network connection 60-1, 60-2, 60-3, 60-4, respectively. More specifically, client station 20-1 can be connected to the network via connection 60-1. Likewise, client station 20-2 can be connected to the network via connection 60-2. In similar fashion, client station 20-3 can be connected to the network via connection 60-3. And client station 20-4 can be connected to the network via connection 60-4. As with the subscription and non-subscription delivery systems illustrated and described with respect to FIG. 2-4, an individual one group of users (20-1-20-4) can access the server 40 at any one time in the same manner as described above to download screen savers containing information of interest to the users. In corresponding fashion, the received information will be presented on the client station displays as a screen saver during subsequent idle periods of the client stations. (Su, Page 4, Paragraph 0034). Applicant argues that Su does not suggest RSS, however Su discloses to update content if there is request from the user for screen saver application program (Su, Page 1, Paragraph 0007), this frequently content update system (RSS) would allow that. Furthermore, this would allow share files with other web sites if the user wants to view their shared files.

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6) Regarding Claims 61 and 63, Bolle discloses the claimed aspect of file categorization by color as claimed. Color properties of key intervals and motion of key intervals are include but not limited to color categorization. Applicant should duly note that color categorization well established in the art at the time of the invention.

Specification Objection

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d) (1) and MPEP § 608.01(o). . Claims 46-59 contain computer readable medium. However, computer readable medium is not supported by the specification. Correction is required.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 35-40, 46-58 and 64-68 are rejected under 35 U.S.C. 102(e) as being anticipated by Su, US 20030084124.

Regarding Claim 35, Su discloses the claimed aspect of loading preselected information data for display on a computer monitor by running a stand alone computer application program independently of other programs on a computer, the application program being configured to detect the occurrence of a wait event or wait condition caused by at least one other program being run on the computer, the wait event resulting in a user having to wait for the computer to complete processing tasks commanded from one or more other programs being run on the computer, wherein a system and method for information delivery to a client station has a screen saver application maintained thereon and a server is operative to transfer information maintained therein in response to a query. The server transfers the information maintained thereon to the client station via a communication medium in response to a request from the screen saver application and the transferred information is presented on the client station offline. (Su, Page 1, Paragraph 0007)

Su discloses the claimed aspect of a detecting a wait event occurring in other programs being run on the computer by sensing a wait condition and loading a preselected information datafile, the detection of the wait event occurring independently of the other programs being run by the computer and not requiring any modification of the other programs in FIG. 2 and FIG. 3, wherein the screen saver application 27 is a small program that acquires control over the display device 30 through the display buffer 28, if there are no key strokes or mouse movements recognized by the I/O port 24 for a

specified duration of time. The screen saver program 27 is capable of providing entertaining, factual or advertising information on the display. The display buffer 28 is used to maintain and format any visual information that is to be provided on the display 30. (Su, Pages 1, Paragraph 0016, lines 13-21). Furthermore, Su discloses that the information on display 30 is presented during down time periods or idle. (Su, Page 3, Paragraph 0027, lines 19-22).

Su discloses the claimed aspect of displaying information from the selected information datafile on the computer monitor during the occurrence of the wait event in FIG. 2 and FIG.3, wherein at step 250 and 350 content and information is displayed.

Su discloses the claimed aspect of suspending display of information when the wait event has ended, wherein saver application 27 is a small program that acquires control over the display device 30 through the display buffer 28, if there are no key strokes or mouse movements recognized by the I/O port 24 for a specified duration of time. Applicant should duly note that a keystroke or mouse movement will deactivate the screen saver display. (Su, Paragraph 0016, lines 13-16).

Regarding Claims 36, most of the limitations have been met in the rejection of Claim 35. See details for Claim 35 rejection. Su discloses the claimed aspect of the selection of any one or more of the following user preferences comprising: the type of information for display as a window and

prioritising the display of different types of information; the duration or frequency of display of information; the number of said windows; the position and size of the windows; the contrast background of the windows; the transparency level of the background of the windows; and the colour of the windows in FIG.3, wherein the server 40 includes a control module 44 which is capable of maintaining information in addition to the content, and controls the operation of the server. Furthermore, the control module 44 of the server 40 may maintain additional information such as: a list of client stations or other operating nodes, that have rights to access information from the server; and a timer which provides for time-controlled release of information. For example, the control module 44 may only allow information to be transmitted from the server in periodic increments, for example, once every twenty-four hours. The operation of such user authentication and time release transfer of information is discussed with reference to FIG. 3. (Su, Paragraph 0026).

Regarding Claims 37, most of the limitations have been met in the rejection of Claims 35. See details for Claim 35 rejection. Su discloses the claimed aspect of selection of a corner anchor point that determines the position of the window for display on the desktop of the computer monitor screen, the selection of a position on the monitor results in the corner of the window closest to the position selected becoming the corner anchor point from which windows appear in a cluster in FIG. 5, wherein the server 40 includes a plurality of pages 41-43 containing information stored thereon. The

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pages of information stored on the server 40 can include graphics, videos, wav audio files, screen savers or any type of viewable and/or auditory information. The server 40 also includes a control module 44 which is connected to the network 50 via line 61. A router module 46 is also present within the server 40. The router module 46 controls which individual one or group of pages 41-43 are transmitted from the server 40. The control module 44 may also include authentication and timing functions which control to whom and when the individual one or group of pages 41-43 are transmitted from the server 40. Further, the control module 44 may include an alerting function which sends a notice to authorized client stations that information is available on the server 40 for downloading. In addition, the control module 44, through router module 46, controls the addition of information pages to the server 40 from any outside resources (i.e., another client station, or server). (Su, Page 2, Paragraph 0018, lines 10-19). Applicant should duly note that windows 41-43 are anchored at certain position.

Regarding Claims 38 and 39, most of the limitations have been met in the rejection of Claim 35. See details for Claim 35 rejection. Su discloses the claimed aspect of resuming display of the information datafile when a further wait event is detected and loading a second or subsequent information datafile for display after the first information datafile has been displayed or when the user chooses to load the second or the subsequent information datafile. wherein the content stored in the screen saver application 27 will be

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presented on the display 30 each time the screen saver application obtains control of the display 30. In those situations where there is no new content to be transferred, or a connection to the network is not available or obtained, steps 210-240 are not performed. In those instances, the screen saver application 27 simply displays the information stored therein on the display device, whenever there is no recognized key stroke or other input to the client station 20 over a specified period of time. (Su, Page 3, Paragraph 0024, lines 1-13). Furthermore, Su discloses that the screen saver application 27 displays during the subsequent idle or down periods. (Su, Page 3, Paragraph 0027, lines 20-22). Applicant should duly note that display will resume till the down period is over.

Regarding Claim 40, most of the limitations have been met in the rejection of Claim 36. See details for Claim 36 rejection. Su discloses the claimed aspect of adjusting the display time in accordance with a user's reading speed and the length or amount of information to be displayed, wherein the server 40 includes a control module 44 which is capable of maintaining information in addition to the content, and controls the operation of the server. The control module 44 of the server 40 may maintain additional information such as: a list of client stations or other operating nodes, that have rights to access information from the server; and a timer which provides for time-controlled release of information. For example, the control module 44 may only allow information to be transmitted from the server in periodic

increments, for example, once every twenty-four hours. The operation of such user authentication and time release transfer of information will now be discussed with reference to FIG. 3. (Su, Paragraph 0026, lines 1-14).

Regarding Claims 46, Su discloses the claimed aspect of a computer program embodied on a computer readable medium for use with a computer in FIG.4 and FIG.5 wherein information transfer is illustrated using software. The rejection for Claim 35 applies for Claim 46. See the rejection details for Claim 35.

Regarding Claims 47 most of the limitations have been met in the rejection of Claim 46. See details for Claim 46 rejection. The rejection for Claim 36 applies to Claim 47. See the rejection details for Claim 36.

Regarding Claims 48 most of the limitations have been met in the rejection of Claim 46. See details for Claim 46 rejection. The rejection for Claim 36 applies to Claim 48. See the rejection details for Claim 36.

Regarding Claims 49 most of the limitations have been met in the rejection of Claim 48. See details for Claim 48 rejection. The rejection for Claim 39 applies to Claim 49. See the rejection details for Claim 39.

Regarding Claims 50 most of the limitations have been met in the rejection of Claim 47. See details for Claim 47 rejection. Su discloses the claimed aspect of datafiles comprising information and/or text and/or graphics and/or audio material in a format suitable for display on a computer monitor, wherein the server 40 includes a plurality of pages 41-43 containing information stored thereon. The pages of information stored on the server 40 can include graphics, videos, wav audio files, screen savers or any type of viewable and/or auditory information. (Su, Page 2, Paragraph 0018, lines 1-4).

Regarding Claims 51 most of the limitations have been met in the rejection of Claim 46. See details for Claim 46 rejection. The rejection for Claim 40 applies to Claim 51. See the rejection details for Claim 40.

Regarding Claims 52 most of the limitations have been met in the rejection of Claim 46. See details for Claim 46 rejection. The rejection for Claim 43 applies to Claim 52. See the rejection details for Claim 43.

Regarding Claims 53 most of the limitations have been met in the rejection of Claim 46. See details for Claim 46 rejection. The rejection for Claim 44 applies to Claim 53. See the rejection details for Claim 44.

Regarding Claims 54 most of the limitations have been met in the rejection of Claim 46. See details for Claim 46 rejection. The rejection for Claim 45 applies to Claim 54. See the rejection details for Claim 45.

Regarding Claims 55 most of the limitations have been met in the rejection of Claim 47. See details for Claim 47 rejection. The rejection for Claim 37 applies to Claim 55. See the rejection details for Claim 37.

Regarding Claims 56 and 57 most of the limitations have been met in the rejection of Claim 47. See details for Claim 47 rejection. The rejection for Claim 41 applies to Claim 56 and 57. See the rejection details for Claim 41.

Regarding Claim 58 most of the limitations have been met in the rejection of Claim 35. See details for Claim 35 rejection. Su discloses the claimed aspect of each selected information datafile is displayed sequentially or randomly in FIG. 6, wherein information display is illustrated sequentially.

Regarding Claim 64 most of the limitations have been met in the rejection of Claim 35. See details for Claim 35 rejection. Su discloses the claimed aspect of stand alone computer application program is not embedded in the other programs for which wait events are being detected, wherein the data file

is downloaded from web site during a download of another application. (Su, Page 3, Paragraph 0027, lines 17-21).

Regarding Claims 65, 66 and 67 most of the limitations have been met in the rejection of Claim 35. See details for Claim 35 rejection. Su discloses the claimed aspect of wait condition is detected by sensing any one or more of the following activities, the activities being a trigger sent from another program to the operating system of the computer or a change in a cursor status or by a change in the activity state of an application-specific icon, wait condition is detected by sensing any one or more of at least two, three activities wherein there is no recognized key stroke or other input to the client station 20 over specified period time. (Su, Page 3, Paragraph 0024, lines 10-13).

Regarding Claim 68 most of the limitations have been met in the rejection of Claim 46. See details for Claim 46 rejection. Su discloses the claimed aspect of stand alone computer application program is not embedded in the other programs for which wait events are being detected, wherein the data file is downloaded from web site during a download of another application. (Su, Page 3, Paragraph 0027, lines 17-21).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Su, US 20030084124 in view of Longinotti, US 20020049634.

Regarding Claim 41, most of the limitations have been met in the rejection of Claim 35. See details for Claim 35 rejection. Su does not teach the claimed aspect of selecting an information datafile for use as a teaching tool, the teaching tool means allowing a user to select preferences such as the subject matter, a set of questions and degree of difficulty with the subject matter and the sequence of display of each said question and associated answer. However, Longinotti discloses in US 20020049634 the claimed aspect of selecting an information datafile for use as a teaching tool, the teaching tool means allowing a user to select preferences such as the subject matter, a set of questions and degree of difficulty with the subject matter and the sequence of display of each said question and associated answer in FIG. 1, wherein a user can choose the quiz type, subject matter, etc. (Longinotti, Page 2, Paragraphs 0020 and 0021) and

the quiz choice submodule filters the quizzes available for a particular user to take. This may be done in a wide variety of ways, as will be appreciated by those in the art. For example, age appropriate quizzes will be offered, such that quizzes that are either too hard or too easy (resulting in the release of prize points too easily) are not offered as quiz options. Similarly, user profiles may include information about a user's academic strengths and weaknesses, and offer quizzes appropriately (e.g. quizzes in weak areas, or putting a limit on how many quizzes in strength or favorite areas a user may take). Thus, the quiz choice submodule may interface with the storage and tracking module. (Longinotti, Page 1, Paragraphs 0018).

It would be obvious to one of ordinary skill in the art at the time of the invention to combine Su's data file display system with Longinotti's interactive quiz system, because it would allow users to perform educational quiz.

Claims 42-45 and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Su, US 20030084124 in view of RSS 2.0 Specification at Harvard Law, July 15, 2003.

Regarding Claims 42-45 most of the limitations have been met in the rejection of Claim 35. See details for Claim 35 rejection. Su discloses the claimed aspect of obtaining information data in a form capable of being displayed on a monitor from obtained from a computer host server via a communications network and caching the information or data on a computer hard drive for presentation in a

display window at a subsequent wait event in FIG. 4 and FIG.5, wherein one-on-one client/server relationship is described, and can be used to generate screen saver based information delivery to any number of users. Such a multi-user system is illustrated in FIG. 5. As illustrated in FIG. 5, a plurality of users, each having a corresponding client station 20-1, 20-2, 20-3, 20-4, can be connected to the server 40 through a corresponding network connection 60-1, 60-2, 60-3, 60-4, respectively. More specifically, client station 20-1 can be connected to the network via connection 60-1. Likewise, client station 20-2 can be connected to the network via connection 60-2. In similar fashion, client station 20-3 can be connected to the network via connection 60-3. And client station 20-4 can be connected to the network via connection 60-4. As with the subscription and non-subscription delivery systems illustrated and described with respect to FIG. 2-4, an individual one group of users (20-1-20-4) can access the server 40 at any one time in the same manner as described above to download screen savers containing information of interest to the users. In corresponding fashion, the received information will be presented on the client station displays as a screen saver during subsequent idle periods of the client stations. (Su, Page 4, Paragraph 0034).

Su discloses the claimed aspect of requesting information by sending queries from a client station in FIG. 2 and FIG. 3.

Su discloses the claimed aspect of on updating recent changes, wherein at step 1210, the server may check to see if new content is to be provided to the server 40. If new content is available, such content is provided to the server at

step 1200. If new content is not available, the server 40 determines whether there has been a request for any of the content present on the server at step 1220. If no content request has been received, the server waits for such a request. (Su, Page 2, Paragraph 0021, lines 11-18).

Su discloses the claimed aspect of adjusting the rate for controlled feeds, wherein the server 40 includes a control module 44 which is capable of maintaining information in addition to the content, and controls the operation of the server. The control module 44 of the server 40 may maintain additional information such as: a list of client stations or other operating nodes, that have rights to access information from the server; and a timer which provides for time-controlled release of information. For example, the control module 44 may only allow information to be transmitted from the server in periodic increments, for example, once every twenty-four hours. (Su, Paragraph 0026, lines 1-12).

However, Su does not teach the claimed aspect of that the information data is fed RSS, however RSS 2.0 at Harvard Law, July 15, 2003 discloses RSS web content syndication format.

It would be obvious to one of ordinary skill in the art at the time of the invention to combine Su's display system with RSS 2.0 because it allows one web site to share information with another web site.

Regarding Claim 62, most of the limitations have been met in the rejection of Claim 46. See details for Claim 46 rejection. Su discloses the claimed aspect of the program is adapted to allow a user to encrypt and lock access to selected

information datafiles, only to authorised users of such information datafiles, wherein the information request is received by the server at step 1320, where the server next determines whether information can be sent to the requesting client station in step 1330. Reasons for denying the request for information may be that the client station does not have authorization to access the content stored in server 40 or the time limit for receiving new information (i.e. content) may not have yet expired. Additional parameters for controlling when and to whom information is transferred will be appreciated by those of ordinary skill in the art and are therefore within the spirit and scope of the present invention. (Su, Page 3, Paragraph 0027, lines 7-16).

However, Su does not teach the claimed aspect of that the information data is fed RSS, however RSS 2.0 at Harvard Law, July 15, 2003 discloses RSS web content syndication format.

It would be obvious to one of ordinary skill in the art at the time of the invention to combine Su's display system with RSS 2.0 because it allows one web site to share information with another web site.

Claims 59-61 and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Su, US 20030084124 in view of Bolle, US 6,892,193.

Regarding Claims 59-61 and 63 most of the limitations have been met in the rejection of Claims 35 and 46. See details for Claims 46 and 35 rejection. Su

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discloses the claimed aspect of window display is adapted as a personal notepad on a computer monitor to allow a user to upload data or information onto the personal notepad to generate a personal note, and the personal note is stored for later display at a predetermined future date and time as a reminder, or displayed during a wait event in FIG. 5, wherein described as being a one-on-one client/server relationship, the present invention can be used to generate screen saver based information delivery to any number of users. Such a multi-user system is illustrated in FIG. 5. As illustrated in FIG. 5, a plurality of users, each having a corresponding client station 20-1, 20-2, 20-3, 20-4, can be connected to the server 40 through a corresponding network connection 60-1, 60-2, 60-3, 60-4, respectively. More specifically, client station 20-1 can be connected to the network via connection 60-1. Likewise, client station 20-2 can be connected to the network via connection 60-2. In similar fashion, client station 20-3 can be connected to the network via connection 60-3. And client station 20-4 can be connected to the network via connection 60-4. As with the subscription and non-subscription delivery systems illustrated and described with respect to FIG. 2-4, an individual one group of users (20-1-20-4) can access the server 40 at any one time in the same manner as described above to download screen savers containing information of interest to the users. In corresponding fashion, the received information will be presented on the client station displays as a screen saver during subsequent idle periods of the client stations. (Su, Page 4, Paragraph 0034).

Su discloses the claimed aspect of lack access and authorized access, wherein reasons for denying the request for information may be that the client station does not have authorization to access the content stored in server 40 or the time limit for receiving new information (i.e. content) may not have yet expired. (Su, Page 3, Paragraph 0027, lines 10-13).

Su does not teach the aspect of generating a personal note annotation, categorizing by color and manually select the files. However, Bolle in 6,892,193 discloses the claimed aspect of file category is assigned a different colour to distinguish one category of said personal note from another category, wherein media items are categorized (or classified) based both on textual features and visual features. The visual feature Visual features include, but are not limited to, color properties of key intervals and motion properties of key intervals. (Bolle, See Abstract).

It would be obvious to one of ordinary skill in the art at the time of the invention to combine Su's display system with Bolle's file management concept of annotation, categorization by color, and manually select the files, because this would allow users more efficient file management practices.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1) Jason Patterson, Idleize Run a Subproces During Idle Time Only, May 03, 2001.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ECE HUR whose telephone number is (571) 270-1972. The examiner can normally be reached on Mon-Thurs 7:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on 571-272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

May 9, 2008

Ece Hur
E.H. /e.h.

/Kieu D Vu/

Primary Examiner, Art Unit 2175